

At the Regular Meeting of the Greenville County Board of Supervisors, held on Monday, August 6, 2012, with a tour of the General District Court Clerk's Office and the Phoenix Building beginning at 3:00 P.M., Closed Session beginning at 4:30 P.M., and Regular Session beginning at 6:00 P.M., in the Board Room of the Greenville County Government Building, 1781 Greenville County Circle, Emporia, Virginia.

Present Peggy R. Wiley, Chairman
 Michael W. Ferguson, Vice-Chairman
 James C. Vaughan
 Dr. Margaret T. Lee

Chairman Wiley called the meeting to order at 3:00 P.M, with a tour of the General District Court Clerk's Office and the Phoenix Building.

Chairman Wiley recessed the meeting.

Chairman Wiley reconvened the meeting in Closed Session.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, 5) Industrial Development and 7) Legal Matters.

Supervisor Lee moved, seconded by Supervisor Ferguson, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Regular Session

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #13-11

Supervisor Ferguson moved, seconded by Supervisor Lee, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

**RESOLUTION #13-11
CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Greenville County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Greenville County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Greenville County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Greenville County Board of Supervisors.

Chairman Wiley recessed the meeting until the Conclusion of the Water and Sewer Authority Meeting.

Chairman Wiley reconvened the meeting at 6:00 p.m.

In Re: Approval of Agenda

Mrs. Brenda Parson, Deputy County Administrator, stated that Staff recommended approval of the agenda with no added items.

Supervisor Lee moved, seconded by Supervisor Ferguson, to approve the Agenda as submitted. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mrs. Parson stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Minutes from the Meeting of July 16, 2012.

Budgetary Matters:

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #5, in the amount of \$487.57, Budget Amendment Resolution #13-12, in the amount of \$21,350.16, Re-Appropriations Resolution #13-13, in the amount of \$2,738.18 and Re-Appropriations Resolution #13-14, in the amount of \$34,243.00; Fund #13 - Budget Amendment Resolution #13-15, in the amount of \$118.30; Fund #018 – Re-Appropriations Resolution #13-16, in the amount of \$164.28 and Budget Amendment Resolution #13-17, in the amount of \$1,314.00; Fund #075 – Re-Appropriations Resolution #13-18, in the amount of \$108,405.00 and Budget Amendment Resolution #13-19, in the amount of \$436,580.00, all of which are incorporated herein by reference.

Warrants:

Approval of Accounts Payable for August 6, 2012, in the amount of \$383,426.70

Approval of Payroll for July 31, 2012, in the amount of \$372,196.86

In Re: Public Hearing

Mrs. Parson recommended that the Board of Supervisors go into Public Hearing to solicit public comments regarding the Creation of the Southern Virginia Regional Industrial Facility Authority.

Supervisor Ferguson moved, seconded by Supervisor Lee, to go into Public Hearing. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Southern Virginia Regional Industrial Facility Authority

Mrs. Slate, Director of Economic Development, stated that last week a ceremony was held to sign the Regional Industrial Facilities Authority with the City of Emporia, Greenville County and Mecklenburg County. She stated that the Authority would build up and share revenue from the development of the MAMaC site. She also stated the approval of the following resolution would allow citizens to comment on the creation of the Authority to be incorporated into the ordinance that the Authority was legally created.

In Re: Regular Session

Mrs. Parson stated that Staff recommended the Supervisors return to Regular Session.

Supervisor Ferguson moved, seconded by Supervisor Lee, to return to Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Resolution #13-20; Southern Virginia Regional Industrial Facility Authority

RESOLUTION #13-20
AN ORDINANCE TO APPROVE THE CREATION OF THE
SOUTHERN VIRGINIA REGIONAL INDUSTRIAL FACILITY AUTHORITY

WHEREAS, the Board of Supervisors of Greenville County has determined that the development of the Mid-Atlantic Advanced Manufacturing Center (“MAMaC”), an economic development site of approximately 1,500 acres in Greenville County, will benefit Greenville County and its residents as part of a regional economic development strategy to attract global industry and investment; and

WHEREAS, the creation of the Southern Virginia Regional Industrial Facility Authority will allow the development of MAMaC and other economic development projects on a regional and cooperative basis; and

WHEREAS, the Board of Supervisors held a public hearing on this matter on August 6, 2012; and

WHEREAS, legal notice of such public hearing was provided as required by law.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Greenville County, Virginia, pursuant to the Virginia Regional Industrial Facilities Act, Virginia Code § 15.2-6400 *et seq.*, (the “Act”) that:

1. The Board hereby finds that the economic growth and development of Greenville County and the comfort, convenience and welfare of its citizens require the development of facilities, and that joint action through a regional industrial facility authority by Greenville

County, Mecklenburg County, and the City of Emporia, and any other localities which may in the future become members of the regional industrial facility approved in this Ordinance, will facilitate the development of the needed facilities.

2. There is hereby created the Southern Virginia Regional Industrial Facility Authority (“SVRIFA”), provided:

- a. That this Ordinance shall become effective upon adoption of similar Ordinances by the City of Emporia and Mecklenburg County; and
- b. That this Ordinance shall become effective no later than December 31, 2012, or it shall be considered void; and
- c. That the adopting Ordinances of the City of Emporia and Mecklenburg County shall contain provisions regarding the SVRIFA identical to the provisions as stated in this Ordinance (except that the names and titles of the applicable local officials and local governing bodies may be substituted); and
- d. That should any section or provision of this Ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this Ordinance; and

3. The member localities shall be the Counties of Greenville and Mecklenburg and the City of Emporia.

4. The Chairman of the Board of Supervisors and the County Administrator are authorized and directed to execute the Southern Virginia Regional Industrial Facility Authority Member Locality Participation Agreement, in substantially the form as presented to the Board at this meeting, establishing the respective rights and obligations of the Member Localities with respect to the Southern Virginia Regional Industrial Facility Authority.

5. The Clerk is directed to file this Ordinance with the Secretary of the Commonwealth; and

6. The Authority shall be governed by the Act, this Ordinance, and by the Agreement executed on behalf of each Member Locality.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Creation of the Southern Virginia Regional Industrial Facility Authority Resolution #13-20. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Introduction of New Employee – Part-time Deputy in the Commissioner of the Revenue’s Office

Mrs. Whitby, Finance Supervisor, introduced Lynne Pitt-Nicholson as the new Part-time Deputy in the Commissioner's Office. She stated that Lynne started with Commissioner's office on July 25th and would like to welcome her aboard. The Board of Supervisors welcomed Mrs. Pitt-Nicholson.

In Re: Citizens Comments

Ms. Stephanie Adams, resident of Washington Park stated that there was not enough help with the children with only two people working. She also stated that children almost drowned and that she called Mr. Clements and told him of the situation.

Supervisor Ferguson asked how the children almost drowned. Ms. Adams stated that they had been to Ocean View.

Ms. Lakesha Adams, resident of Washington Park Community, had the following concerns:

- Children hired do not have the patience with the children
- Workers were hollering and screaming at the children
- Workers were not taking up time with the children
- Director of the facility fussed at the children for wanting hugs from her
- Children were intimidated and scared to say anything to their parents about concerns
- Not enough equipment for the amount of children attending
- Lack of supervision on field trips
- Parents had to pay if they wanted to chaperone a field trip
- Parents were not contacted when the issue of the almost drowning occurred
- Director did not spend time with the children

Ms. Adams stated that her children didn't want to attend because the workers were mean to them. She stated that there was only one woman there that really took care of them, Ms. Regina Lawson. She also stated that she talked to the Director about letting some of the people work there that would take the time with the children and the Director stated that funds were not available to allow for such positions. She also stated that she would go a step higher with a list of concerns to make sure the children were taken care of. She further stated that she had contacted Mr. Threatt who was on the Board of Directors for the Boys and Girls Club about issues and he had not returned her phone call as of this date.

Supervisor Ferguson asked if Ms. Adams had contacted the two other people he had suggested. Ms. Adams stated she did not contact them.

In Re: Delinquent Taxes

Mrs. Cathy Wray, Chief Deputy, with the Treasurer's Office stated that Staff prepared the Delinquent 2011 Tax List and requested authorization to publish it in the local newspaper.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the publication of the 2011 Delinquent Tax List in the local paper. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Solid Waste Collection Site

Mr. Reggie Owens, Program Administrator, stated that Staff requested authorization to procure equipment for solid waste collection sites through Request for Proposal rather than Invitation to Bid. He stated the purpose of transitioning from unmanned solid waste collection sites to manned sites was to save money by reducing the amount of trash from other jurisdictions, save valuable landfill space and eliminate the need to hire outside vendors to provide services that County Staff could provide. Mr. Owens stated Staff was requesting authorization from the Board to purchase a roll-off truck for hauling and dumping the containers at the collection sites. He stated purchasing a truck would eliminate the need to hire an outside contractor to provide that service. He also stated Staff recommended that the County enter into a contract for back-up hauling when needed in case of emergencies. Mr. Owens further stated Staff was looking into piggybacking on an existing contract that Clarke County originally bid out for a truck that would meet the County's needs. Mr. Owens stated that Staff requested approval of the following Resolution #13-21, Determination to Procure Goods and Nonprofessional Services by Competitive Negotiation.

RESOLUTION #13-21
DETERMINATION TO PROCURE GOODS AND NONPROFESSIONAL SERVICES
BY COMPETITIVE NEGOTIATION

WHEREAS, Virginia code Section 2.2-4303.C requires that when goods and nonprofessional services are to be procured by competitive negotiation, rather than by competitive sealed bidding, the governing body shall adopt a resolution declaring its intent to procure by competitive negotiation, and stating the reasons therefore; and

WHEREAS, the Board of Supervisors of Greensville County, Virginia ("Board"), wishes to request proposals for the purchase, installation, operation and training as needed for solid waste collection site equipment including compactors, roll off containers and recycling containers; and

WHEREAS, the Board has determined that procurement of said equipment and services by competitive sealed bidding is neither practicable nor fiscally advantageous to Greensville County citizens; and

WHEREAS, the Board has determined that the best interests of Greensville County citizens would be served by procurement of said equipment and services by competitive

negotiation to afford vendors some flexibility in making proposals, to enable the County Staff to become acquainted with needed equipment and services and enable the County Staff to evaluate the proposals regarding equipment and services to be procured.

IT IS, ACCORDINGLY, HEREBY RESOLVED that the Board has determined that procurement of the solid waste collection site equipment by competitive sealed bidding is neither practicable nor fiscally advantageous to Greenville County citizens, and that said equipment and services should therefore be procured by competitive negotiation.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve Resolution #13-21. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve the Procurement by Authorization to RFP and piggy back off of Surry/Clarke Counties. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: General District Court Clerk's Office

Mr. Whittington, County Administrator, stated that the Commonwealth of Virginia had provided two new positions for the General District Court Clerk's Office, at no cost to the localities. He stated that the County had the responsibility to provide the two workstations and two chairs that would be needed at the Clerk's Office. He also stated the amount provided by Mrs. Sandra Ligon, Clerk of Court, was \$5,650.00. Mr. Whittington stated that Staff requested authorization of the funds to purchase the two workstations and two chairs.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the request for authorization of funds to purchase two workstations and two chairs. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Miscellaneous Matters

Various Departmental Reports and Staff Work Programs were prepared for the Board's review and comments.

Chairman Wiley asked if anyone had any questions. There were none.

In Re: Adjournment

With there being no further business, Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adjourn the meeting. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk